

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

JUL 12 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: HEARTWISE, INC.,

Debtor,

OSMAN KHAN,

Appellant,

v.

HEARTWISE, INC.,

Appellee.

No. 23-55002

D.C. No. 8:21-cv-01961-AB  
Central District of California,  
Santa Ana

ORDER

The appellant did not file the opening brief by the due date. This case is therefore dismissed for failure to prosecute. *See* 9th Cir. R. 42-1.

This order, served on the district court, will become the mandate of the court in 21 days.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT